



Z-09-07-004

City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: July 13, 2009

**GENERAL INFORMATION**

<b>APPLICANT</b>	Thomas E. McFadden
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>RS-7</b> (Residential-Single Family) to <b>CD-LO</b> (Conditional District-Limited Office)
<b>CONDITIONS</b>	1. Uses: Limited to a Child Day Care Center or a Church. 2. A maximum of 35 children will be enrolled at any point in time 3. Any free-standing signage shall be limited to 6 feet in height and shall be of monument style
<b>LOCATION</b>	3710 Brady Street (South of Brady Street and west of Bricker Street)
<b>PARCEL ID NUMBER (S)</b>	<b>00-00-0210-0-0008-00-010</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>74</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.37 Acres
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Residential landscaping

**SITE DATA**

<b>Existing Use</b>	Vacant structure
Adjacent Zoning	Adjacent Land Uses
N RS-7 (Residential-Single Family)	Single-Family dwelling unit
E RS-7 (Residential-Single Family)	Undeveloped and Single-Family dwelling unit
W RS-7 (Residential-Single Family)	Single-Family dwelling unit
S RS-7 (Residential-Single Family)	Single-Family dwelling unit

**Zoning History**

Case #	Date	Request Summary
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		This property has been zoned RS-7 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 75 S
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**ZONING DISTRICT STANDARDS****District Summary \***

Zoning District Designation:	Existing (RS-7)	Requested (CD-LO)
Max. Density:	5 dwelling units per acre	N/A
Typical Uses	Primarily intended to accommodate high density single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION****Overlay District Ordinance/Historic Preservation****Environmental/Soils**

Water Supply	N/A, site drains to South Buffalo Creek
Watershed	
Floodplains	N/A
Streams	N/A
Other:	N/A

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

<b>North</b>	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
<b>South</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
<b>East</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
<b>West</b>	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

**Tree Preservation Requirements**

Acreage	Requirements
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<b>0.37 Ac.</b>	1% of lot area and be located within the required planting yard
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**Transportation**

Street Classification	Brady Street – Local Street.
Site Access	Existing.
Traffic Counts:	None available.
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no sidewalk in the area nor are there any plans to build sidewalk.
Transit in Vicinity	Yes, route 5, Gorrell Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

**IMPACT ANALYSIS****Land Use Compatibility**

The proposed **CD-LO** (Conditional District-Limited Office) zoning would allow land uses that are generally compatible with the general character of the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Low Residential RS-7**. The requested **CD-LO** (Conditional District-Limited Office) zoning district is consistent with this GFLUM designation given the proposed land use supportive of the surrounding area. The property does not require a Comprehensive Plan Amendment since it is less than 1 acre.

**Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

POLICY 4C.1: Establish standards for and promote new forms of compact development.

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 4G.1: Promote compact development.

*Housing and Neighborhoods Goal:* Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

*POLICY 6A.4:* Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

Including protection against incompatible commercial encroachments into residential neighborhoods

*Economic Development Goal:* Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

*POLICY 7A.2:* Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

### **Connections 2025 Map Policies**

*Low Residential (3-5 d.u./acre):* This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

*Mixed Use Residential:* This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

### **CONFORMITY WITH OTHER PLANS**

**Other Plans - N/A**

### **Staff/Agency Comments**

### **Water Resources**

No additional comments

**Housing and Community Development**

Long-term quality of life for adjacent property owners would be greatly enhanced by installation of appropriate landscaped and/or constructed buffering to shield existing adjacent single-family residential development from non-residential uses on this site. Applicant is strongly encouraged to discuss this proposal with representatives of the Heath Park Neighborhood, within which this site is located.

**Planning**

The 0.37 acre subject parcel is located 135 feet from the intersection of Brady Street and Bricker Street with frontage on Brady Street. Per the applicant, this site was being used as a church which is a permitted use in the RS-7 zoning district but wants to increase his pool of clientele necessitating this request for a rezoning to an appropriate zoning district that will allow either a day care center with a maximum of 35 children (per the attached conditions) or a church or both on the site.

This request is not contradictory to the intent and purpose of the zoning district since the requested CD-LO zoning district is primarily intended to accommodate low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas. Based on the site and situation of this property, this site is highly accessible being that it is only 135 feet from an intersection, it is 70 feet wide and the building is setback approximately 80 feet from the street center line. This configuration lends itself ample space for parking, turn around and also convenient ingress and egress points without the possibility of cars stacking up on the street during peak hours.

This rezoning request if approved will help provide a use which is very much needed in or near residential areas without impacting the overall mix of uses found in this vicinity nor will it negatively impact the adjacent residential uses. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-LO** (Conditional District-Limited Office) zoning district.